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November 20, 2024

VIA ECF

The Honorable Valerie Caproni
United States District Court
Southern District of New York
40 Foley Square, Room 240
New York, NY 10007

MEMO ENDORSED

Re: *Viral Bhagat v. Anuja Sharad Shah a/k/a Anu Shah, No. 24-CV-01424(VEC)*

Dear Judge Caproni:

We represent defendant Anuja Sharad Shah a/k/a Anu Shah (“Shah”). In accordance with Section 2.C. of Your Honor’s Individual Practices in Civil Cases, we write to respectfully request a brief adjournment of the in-person hearing scheduled for Monday, November 25 at 10:00 a.m.

This is Ms. Shah’s first request for an adjournment. We conferred with counsel for plaintiff Viral Bhagat (“Bhagat”) and proposed the week of December 16 to facilitate a new hearing date. Counsel for Mr. Bhagat advised that he is agreeable to an adjournment on the condition that we agree to produce discovery responses by certain dates.

As we had informed Mr. Bhagat’s counsel, we require an adjournment because our engagement with Ms. Shah began yesterday, and we are working expeditiously to get up to speed on the matter. Our office received the case file from Ms. Shah’s prior counsel yesterday afternoon, and we scheduled a call to discuss the status of the action on late Friday morning, counsel’s earliest availability. In addition, Ms. Shah is currently abroad and, while she is making herself available for calls, the time difference makes it all the more difficult to confer before the hearing on Monday. Given that our office is not aware of the status of discovery, including what demands or responses remain outstanding, or the status of party and third-party productions, we are not in a position to agree to Mr. Bhagat’s discovery deadlines now. That said, we are happy to confer with Mr. Bhagat’s counsel after Thanksgiving once we have knowledge of where things stand in discovery.

For the reasons herein, we respectfully request that the Court reschedule the hearing on November 25 to any day in the week of December 16 or a day in which the Court is available.

Respectfully submitted,



Melissa Yang

cc: All counsel of record (via ECF)

Application GRANTED in part. The Court understands that new counsel needs additional time to familiarize herself with this case; however, discovery in this matter lasted nearly six months prior to the implementation of the stay. Defendant apparently made little effort to comply with her discovery obligations during that time, and the Court is reluctant to further delay completion of discovery by another three weeks.

By not later than close of business on **Friday, November 22, 2024**, Plaintiff must grant Defendant's counsel access to the links to the audio voice notes so that Defendant can respond to Plaintiff's Requests for Admissions, or explain why that cannot be accomplished.

In order to facilitate a useful status conference, the conference scheduled for Monday, November 25, 2024, at 10:00 A.M. is ADJOURNED to **Thursday, December 5, 2024, at 3:30 P.M.** The stay in this matter will remain in place until the conference.

At the conference, Defendant must be prepared to commit to, or to explain in detail why she cannot commit to, responding to the outstanding Interrogatories, Requests for Admissions, and Requests for Production by **Tuesday, December 31, 2024**. Counsel must also be prepared to explain why the Court should not set a firm deadline for the completion of all fact discovery at this conference.

SO ORDERED.



11/21/2024

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE